United Nations CRPD/CSP/2017/2

Convention on the Rights of Persons with Disabilities

Distr.: General
27 March 2017

Original: English

Conference of States Parties to the Convention on the Rights of Persons with Disabilities
Tenth session
New York, 13-15 June 2017
Item 5 (b) of the provisional agenda*
Matters related to the implementation of the Convention: round table 1

Addressing the impact of multiple discrimination on persons with disabilities, and promoting their participation and multi-stakeholder partnerships for achieving the Sustainable Development Goals in line with the Convention

Note by the Secretariat

The present document, which was prepared in consultation with representatives of civil society and other relevant stakeholders in order to facilitate the round-table discussion on the theme "Addressing the impact of multiple discrimination on persons with disabilities, and promoting their participation and multi-stakeholder partnerships for achieving the Sustainable Development Goals in line with the Convention", transmits to the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, at its tenth session, background information approved by the Bureau-elect of the Conference.

* CRPD/CSP/2017/1.

17-03262 (E) 190417

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Overview

1. The realization of the human rights and fundamental freedoms of all persons with disabilities, and their full and effective participation and inclusion in society, are hindered by the impact of multiple and intersecting forms of discrimination. Discrimination against persons with disabilities results in lower employment rates, lower rates of participation in public and political life and decreased access to services such as education, health, rehabilitation, sexual and reproductive health and justice.[1] Persons with disabilities who are subjected to multiple and intersecting forms of discrimination thus experience great marginalization, and failure to address discrimination against them will negate the aspiration of the 2030 Agenda for Sustainable Development that "no one will be left behind".

2. "Multiple discrimination" is defined as a situation in which a person experiences discrimination based on two or more grounds, which compounds or aggravates it.[2] Intersecting discrimination refers to a situation in which several grounds are inseparably intertwined.[3] Grounds for discrimination include but are not limited to: age; disability; sex; ethnic, indigenous, national or social origin; political or other opinion; race; religion; refugee, migrant or asylum status; or any other status.

3. Available data show that the employment rate for women with disabilities is more than 30 per cent lower than that for men with disabilities (19.6 per cent compared with 52.8 per cent, respectively),[4] while girls with disabilities are more likely to be socially excluded than boys with disabilities, which has a direct bearing on their educational trajectory.[5] Women and girls with disabilities experience violence at a rate that is up to 3 times higher than that of their peers without disabilities, and they are up to 10 times more likely to experience sexual violence.[6] In addition, indigenous persons with disabilities often experience multiple and intersecting forms of discrimination on the basis of both their indigenous identity and as persons with disabilities.[7]

4. The principle enshrined in the 2030 Agenda, of ensuring that "no one will be left behind", requires a cross-sectoral, multi-stakeholder approach and the active mobilization of a broad range of stakeholders. Although the degree to which stakeholders are able to participate meaningfully in the national formulation and the implementation of sustainable policy varies,[8] the inclusion and participation of persons with disabilities and their representative organizations in cross-sectoral, multi-stakeholder partnerships, and the development and strengthening of these

[1] A/HRC/34/26.

[2] Committee on the Elimination of Discrimination against Women, general recommendation No. 25, on art. 4, para. 1, of the Convention on the Elimination of All Forms of Discrimination against Women, (temporary special measures) (2004).

[3] Committee on the Elimination of Discrimination against Women, general recommendation No. 28 on the core obligations of States parties under art. 2 of the Convention on the Elimination of All Forms of Discrimination against Women (2010).

[4] World Health Organization and World Bank, *World Report on Disability* (Geneva, 2011).

[5] Sue Coe, "Outside the Circle: A research initiative by Plan International into the rights of children with disabilities to education and protection in West Africa" (Dakar, Plan International West Africa, 2013).

[6] "We Decide" initiative for young persons with disabilities, infographic (2016). Available from www.msh.org/sites/msh.org/files/we_decide_infographic.pdf.

[7] Inter-Agency Support Group on Indigenous Peoples' Issues, "Rights of Indigenous Peoples/ Persons with Disabilities" (2014). Available from www.un.org/en/ga/president/68/pdf/wcip/IASG%20Thematic%20Paper_Disabilities.pdf.

[8] See Department of Economic and Social Affairs, Division for Sustainable Development, "Synthesis of Voluntary National Reviews", 2016.

partnerships, will advance efforts to address the impact of multiple and intersecting forms of discrimination for persons with disabilities.

Convention on the Rights of Persons with Disabilities: relevant frameworks and reports

5. The Convention on the Rights of Persons with Disabilities of 2006 is a legally binding human rights treaty with an explicit social development dimension that recognizes the human rights and fundamental freedoms of all persons with disabilities.[9] In the preamble to the Convention, the difficult conditions faced by persons with disabilities, who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status, are recognized.

6. In the Convention, non-discrimination and equality of persons with disabilities are featured as both a principle (article 3) and an obligation (article 5, on equality and non-discrimination) and are a central requirement. The obligation to eliminate all forms of disability-based discrimination, including multiple and intersecting forms of discrimination, underlies all provisions of the Convention, including the right to education, work and employment, participation in political and public life, liberty of movement and nationality, living independently, being included in the community, access to justice, equal recognition before the law, social protection, the right to liberty and the right to health. In particular, article 6, on women with disabilities, and article 7, on children with disabilities, recognize that women and girls with disabilities and children with disabilities are commonly subject to multiple discrimination.

7. In article 32 of the Convention, the importance of international cooperation and its promotion for the realization of the purposes and objectives of the Convention are recognized. States parties are committed under the article to undertaking "appropriate and effective measures ... between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, in particular organizations of persons with disabilities". Effective measures involve ensuring that international cooperation, including international development programmes, is inclusive of and accessible to persons with disabilities (32.1 (a)) and facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices (32.1 (b)).

8. In article 4.3 of the Convention, it is stated that States parties should closely consult with and actively involve persons with disabilities, through their representative organizations, in the development and implementation of legislation and policies to implement the Convention, and in other decision-making processes concerning issues relevant to persons with disabilities.

9. The equal treatment of and absence of discrimination against persons with disabilities also falls under the mandate of other international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture, the Convention on the Elimination of All Forms of Discrimination against Women[10] and the Convention on the Rights of the Child.[11]

10. The commitment of the international community to advancing the human rights of persons with disabilities in sustainable development has been strengthened with the

[9] General Assembly resolution 61/106, annex I.
[10] General Assembly resolution 34/180, annex.
[11] General Assembly resolution 44/25, annex.

adoption of the 2030 Agenda for Sustainable Development.[12] The 17 Sustainable Development Goals explicitly include persons with disabilities in five Goals and seven targets. Goal 10, to "Reduce inequality within and among countries", commits Member States to reducing inequalities for all people, including persons with disabilities. Targets addressing multiple and intersecting forms of discrimination include 10.2, "empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status" and 10.3, "Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action". While not explicitly mentioned under Goal 5, "Achieve gender equality and empower all women and girls", women and girls with disabilities are also included in target 5.1, "End all forms of discrimination against all women and girls everywhere".

11. Goal 17, "Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development", calls for global partnerships in support of the implementation of the Sustainable Development Goals. Particular targets include 17.16, "Enhance the Global Partnership for Sustainable Development, complemented by multi-stakeholder partnerships that mobilize and share knowledge, expertise, technology and financial resources, to support the achievement of the Sustainable Development Goals in all countries, in particular developing countries", and 17.17, "Encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships".

12. Other relevant documents include general comment No. 3 (2016) of the Committee on the Rights of Persons with Disabilities on article 6: Women and girls with disabilities[13] and the report of the Office of the United Nations High Commissioner for Human Rights on equality and non-discrimination under article 5 of the Convention on the Rights of Persons with Disabilities.[14] The Report of the Special Rapporteur of the Human Rights Council on the rights of persons with disabilities, which focuses on disability-inclusive policies, is also aimed at providing guidance to States and other actors on how to establish policies that are in conformity with the Convention and that can contribute to the achievement of the Sustainable Development Goals.[15]

Examples of multi-stakeholder partnerships for the achievement of the Sustainable Development Goals in line with the Convention on the Rights of Persons with Disabilities

13. The United Nations Partnership to Promote the Rights of Persons with Disabilities is a unique collaborative effort that brings together United Nations entities, Governments, organizations of persons with disabilities and broader entities of civil society to advance the human rights of persons with disabilities throughout the world. The Partnership supports the full implementation of the Convention by facilitating dialogue on policy, coalition-building and capacity-development at the national, regional and global levels. In doing so, it leverages the comparative advantage of multiple stakeholders to advance the vision of a "society for all" in the twenty-first century.[16]

[12] General Assembly resolution 70/1.
[13] CRPD/C/GC/3, paras. 13-23.
[14] A/HRC/34/26.
[15] A/71/314.
[16] See mptf.undp.org/factsheet/fund/RPD00.

14. The Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities was established in 2006 by the United Nations System Chief Executives Board for Coordination. The Group, which comprises United Nations funds and programmes, the specialized agencies, the Secretariat and others, including representatives of organizations of persons with disabilities, is tasked with promoting compliance with the principles of the Convention and increasing the scale and effectiveness of the involvement of the United Nations in the mainstreaming of the rights of persons with disabilities.[17]

15. The Global Action on Disability Network, established in 2015, is a donor community that comprises bilateral donor agencies, multilateral organizations, the private sector, foundations, organizations of persons with disabilities, other civil society stakeholders and actors in this field. Members of the Network collaborate to share expertise, coordinate actions and raise the profile of the human rights of persons with disabilities across international development efforts in order to achieve cooperative international development inclusive of persons with disabilities.[18]

16. The Stakeholder Group of Persons with Disabilities, a civil society partnership representing persons with disabilities, comprises persons with disabilities, organizations of persons with disabilities, non-governmental and other organizations working on the rights of persons with disabilities and non-governmental donors working in this space.[19] The Group also engages with other civil society partnerships and with relevant entities of the United Nations system on development-related issues as part of the major groups and other stakeholders of the Economic and Social Council. The Group engages with Member States during the annual high-level political forum on sustainable development of the Council, the monitoring mechanism for the Sustainable Development Goals.[20]

Questions for consideration

17. The following questions are presented for consideration at the round-table discussion:

(a) How should multiple and intersectional discrimination against persons with disabilities be monitored and evaluated, and how can the implementation of the Sustainable Development Goals aid in combating multiple and intersecting forms of discrimination against persons with disabilities?

(b) The 2030 Agenda for Sustainable Development provides opportunities to support the participation and meaningful inclusion of persons with disabilities in national and regional development policies and programmes. How can States and United Nations agencies capitalize on the knowledge and expertise of persons with disabilities and their representative organizations to address multiple and intersecting forms of discrimination and "leave no one behind"?

(c) What good practices exist in terms of legal redress and accountability, and what role can data and statistics processes play, in addressing and capturing the scope and impact of multiple and intersectional discrimination?

(d) Leveraging the opportunities presented by the 2030 Agenda, what specific entry points exist for effective multi-stakeholder partnerships with a view to combating multiple and intersecting forms of discrimination, achieving the

[17] See www.un.org/development/desa/disabilities/about-us/inter-agency-support-group-for-the-convention-on-the-rights-of-persons-with-disabilities.html.
[18] See www.internationaldisabilityalliance.org/glad.
[19] See www.internationaldisabilityalliance.org/content/stakeholder-group-persons-disabilities.
[20] E/HLPF/2016/2.

Sustainable Development Goals and implementing the Convention on Rights of Persons with Disabilities?

(e) What innovative solutions, including information and communications technologies and market-based solutions, exist to support the implementation of the 2030 Agenda, in line with the Convention?

United Nations CRPD/CSP/2017/3

Convention on the Rights of Persons with Disabilities

Distr.: General
27 March 2017

Original: English

Conference of States Parties to the Convention on the Rights of Persons with Disabilities
Tenth session
New York, 13-15 June 2017
Item 5 (c) of the provisional agenda*
Matters related to the implementation of the Convention: round table 2

Inclusion and full participation of persons with disabilities in humanitarian action

Note by the Secretariat

The present document which was prepared in consultation with representatives of civil society and other relevant stakeholders so as to facilitate the round-table discussion on the theme "Inclusion and full participation of persons with disabilities in humanitarian action", transmits to the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, at its tenth session, background information approved by the Bureau-elect of the Conference.

Overview

1. In the report of the Secretary-General for the World Humanitarian Summit, held in 2016, it was recognized that persons with disabilities are among the most marginalized in any crisis-affected community.[1] Persons with disabilities are over represented among those living in poverty,[2] while an estimated 6.7 million persons with disabilities are forcibly displaced as the result of persecution, conflict, violence and other human rights violations.[3] In some cases, the morbidity rates for persons

* CRPD/CSP/2017/1.

[1] A/70/709, para. 79.

[2] World Health Organization and World Bank, *World Report on Disability* (Geneva, 2011). Available from www.who.int/disabilities/world_report/2011/report.pdf.

[3] Women's Refugee Commission, "Refugees with Disabilities Fact Sheet" (2014) (www.womensrefugeecommission.org/disabilities/disabilities-fact-sheet).

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with disabilities in disasters was estimated to be four times higher than for those without disabilities.[4]

2. Armed conflicts and emergency situations increase the number of barriers faced by persons with disabilities on a larger scale. In crisis situations, persons with disabilities require the same assistance as all others affected, as well as specific requirements related to disability. Conflicts and natural disasters heighten the risks faced by persons with disabilities as they seek assistance, support and protection, and they impact access to and may lead to the collapse of essential services. Where services exist, inaccessible communication strategies often exclude persons with disabilities from identifying and utilizing them.[5] Scant data, poor identification and registration and lack of provision of reasonable accommodation compound the exclusion of persons with disabilities in crisis-needs assessment.[6]

3. Multiple and intersecting forms of discrimination exacerbate the situation of persons with disabilities in situations of risk and humanitarian emergencies. For example, children with disabilities face higher risk of abuse and neglect,[7] while women with disabilities are exposed to an increased risk of sexual violence during humanitarian crises.[8]

4. Future humanitarian action inclusive of the human rights of persons with disabilities must be guided by the Convention on the Rights of Persons with Disabilities of 2006.[9] International humanitarian law, codified under previously dominant understandings of disability, notably the medical model of disability, which focuses exclusively on the impairment of the person and reflects a paternalistic response to persons with disabilities,[10] has been superseded by the human rights-based approach to disability framed in the Convention.[11]

5. In the development of inclusive humanitarian action, the inclusion and participation of persons with disabilities and their representative organizations in the needs assessment, design, implementation, coordination, monitoring and evaluation of humanitarian and disaster preparedness and response programmes and policies is crucial. Drawing from the leadership, skills, experience and expertise of persons with disabilities and their active participation in decision-making and planning processes, including in appropriate coordination mechanisms, is an essential prerequisite to the successful reshaping of the humanitarian aid and emergency response.

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[4] Economic and Social Commission for Asia and the Pacific, "Overview of Natural Disasters and their Impacts in Asia and the Pacific 1970-2014", technical paper, 2015. Available from www.unescap.org/sites/default/files/Technical%20paper-Overview%20of%20natural%20hazards%20and%20their%20impacts_final.pdf.

[5] Handicap International, "Disability in humanitarian contexts: Views from affected people and field organisations" (2015). Available from www.un.org/disabilities/documents/WHS/Disability-in-humanitarian-contexts-HI.pdf.

[6] General Assembly resolution 69/283, annex II.

[7] *The State of the World's Children: Children with Disabilities* (United Nations publication, Sales No. E.13.XX.1).

[8] CRPD/C/GC/3.

[9] General Assembly resolution 61/106, annex I.

[10] See the Geneva Conventions of 12 August 1949 and the Protocols additional thereto of 1977, as well as: http://www.ohchr.org/EN/Issues/Disability/Pages/Article11.aspx.

[11] See Human Rights Council resolution 31/6.

Convention on the Rights of Persons with Disabilities, relevant frameworks and reports

6. The Convention on the Rights of Persons with Disabilities which is a legally binding human rights treaty with an explicit social development dimension, recognizes the human rights and fundamental freedoms of all persons with disabilities. The Convention's article on situations of risk and humanitarian emergencies (article 11) requires States parties to "take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters".

7. Article 32 (International cooperation), which recognizes the importance of international cooperation and its promotion for the realization of the purposes and objectives of the Convention, commits States parties to "undertake appropriate and effective measures ... between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, in particular organizations of persons with disabilities".

8. Additional articles of the Convention relevant to inclusive humanitarian action include article 5 (Equality and non-discrimination), article 9 (Accessibility) and article 18 (Liberty of movement and nationality). The Convention recognizes the importance of universal design, defined in article 2 as "the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design" which shall not exclude assistive devices for particular groups of persons with disabilities where it is needed, and establishes the obligation of States parties to undertake or promote research and development of universally designed goods, services, equipment and facilities, in line with article 2, as well as to promote universal design in the development of standards and guidelines.

9. Article 4 (3) of the Convention requires States parties to closely consult with and actively involve persons with disabilities through their representative organizations in the development and implementation of legislation and policies to implement the Convention and in other decision-making processes concerning issues relevant to persons with disabilities.

10. The 2030 Agenda for Sustainable Development[12] promotes the key principle that "no one will be left behind". The Sustainable Development Goals include a number of targets and indicators relevant to situations of risk and humanitarian emergencies, including target 1.5, "to build the resilience of the poor and those in vulnerable situations and reducing their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters"; target 10.2, "to empower and promote the social, economic and political inclusion of all"; indicator 11.b, " to develop and implement, in line with the Sendai Framework for Disaster Risk Reduction 2015-2030, holistic disaster risk management at all levels"; and target 13.1, to strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries".

[12] General Assembly resolution 70/1.

11. The Sendai Framework for Disaster Risk Reduction 2015-2030, includes the requirement that, in addition to certain guiding principles such as inclusive, accessible and non-discriminatory participation, persons with disabilities must be empowered to publicly lead and promote gender equitable and universally accessible response, recovery, rehabilitation and reconstruction approaches.[13] The importance of strengthening disaster-resilient public and private investments is included in the Framework, specifically through "building better from the start to withstand hazards through proper design and construction, including the use of the principles of universal design".[14] Also included in the Framework is the fact that disaster risk reduction requires a multi-hazard approach and inclusive risk-informed decision-making based on the open exchange and dissemination of disaggregated data.[15]

12. As of February 2017, the Charter on Inclusion of Persons with Disabilities in Humanitarian Action,[16] launched in May 2016 during the World Humanitarian Summit, has been endorsed by more than 140 stakeholders, including States, United Nations entities, organizations of persons with disabilities, and humanitarian and civil society organizations. The Charter includes five core commitments that the endorsers agree to uphold, in line with the Convention on the Rights of Persons with Disabilities, namely: non-discrimination; participation; inclusive programming; inclusive response and services; and cooperation and coordination.

13. Other relevant documents include Human Rights Council resolution 31/6 on the rights of persons with disabilities in situations of risk and humanitarian emergencies, the Office of the United Nations High Commissioner for Human Rights thematic study on the rights of persons with disabilities under article 11 of the Convention,[17] the guidance provided by the United Nations High Commissioner for Refugees on working with persons with disabilities in forced displacement,[18] and the United Nations Children's Fund (UNICEF) Child Protection Strategy.[19]

The way forward: inclusive humanitarian action for persons with disabilities

14. In November 2016, the Inter-Agency Standing Committee established a task team to develop system-wide guidance on the inclusion of persons with disabilities in humanitarian action. The task team includes organizations of persons with disabilities, humanitarian and civil society actors and United Nations agencies. With the support of Member States, the task team will work from January 2017 through December 2018 on the establishment of guidelines for inclusive humanitarian action for persons with disabilities, in line with the Convention on the Rights of Persons with Disabilities.

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[13] General Assembly resolution 69/283, annex II, para. 32.
[14] Ibid., para. 30 (c).
[15] Ibid., para. 19 (g).
[16] Available from http://humanitariandisabilitycharter.org/.
[17] Available from http://www.ohchr.org/EN/Issues/Disability/Pages/Article11.aspx.
[18] "Working with persons with disabilities in forced displacement" (2011) (www.unhcr.org/en-us/publications/manuals/4ec3c81c9/working-persons-disabilities-forced-displacement.html).
[19] E/ICEF/2008/5/Rev.1.

15. As an example of good practice at the national level, following the 2015 earthquake in Nepal, the non-governmental organization CBM International, through its Emergency Response Unit worked in partnership with the National Federation of the Disabled Nepal, an umbrella organization for disabled persons, to ensure that the earthquake-affected population, including persons with disabilities, received support, and contributed to the recovery process. Within five days of the earthquake, the organization had used a text-messaging campaign to reach approximately 180 members of disabled persons' organizations, and reporting that many people had suffered material damage and had difficulties accessing relief. As part of their response activities, the Emergency Response Unit and the National Federation set up "ageing and disability focal points" in three of the worst-affected districts to ensure that persons with disabilities and older people were included in mainstream relief and early recovery initiatives. The focal points operated as specialized hubs, identifying people and their requirements, as well as existing stakeholders and the services that they provide, in order to refer people to the appropriate service providers.[20]

Questions for consideration

16. The following questions are presented for consideration at the round-table discussion:

(a) How can the Sustainable Development Goals, the Sendai Framework for Disaster Risk Reduction and the Charter on Inclusion of Persons with Disabilities in Humanitarian Action be leveraged to support the implementation of the Convention on the Rights of Persons with Disabilities?

(b) What innovative solutions exist to address and promote humanitarian action inclusive of persons with disabilities?

(c) How can States, United Nations agencies and humanitarian actors ensure close consultation and meaningful involvement of persons with disabilities and their representative organizations in the planning, decision-making, implementation and monitoring of national, regional and international humanitarian action inclusive of persons with disabilities?

(d) What role do local stakeholders play in the development and roll-out of inclusive humanitarian action and how can their expertise support capacity-building on humanitarian action for organizations of persons with disabilities in crisis-affected areas?

(e) How can States, United Nations agencies and disabled persons' organizations build the capacity of humanitarian actors to develop inclusive humanitarian action for persons with disabilities?

[20] CBM International Emergency Response Unit "One year report: Nepal earthquake 2015" (2016). Available from http://www.cbm.org/nepal-earthquake-one-year.

United Nations CRPD/CSP/2017/4

Convention on the Rights of Persons with Disabilities

Distr.: General
27 March 2017

Original: English

Conference of States Parties to the Convention on the Rights of Persons with Disabilities
Tenth session
New York, 13-15 June 2017
Item 5 (d) of the provisional agenda*
Matters related to the implementation of the Convention: round table 3

Promoting inclusive urban development and implementation of the New Urban Agenda

Note by the Secretariat

The present document, which was prepared in consultation with civil society and other relevant stakeholders in order to facilitate the round-table discussion on the theme "Promoting inclusive urban development and implementation of the New Urban Agenda", transmits to the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, at its tenth session, background information approved by the Bureau-elect of the Conference.

* CRPD/CSP/2017/1.

17-05291 (E) 180417

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Overview

1. In the report, *World Urbanization Prospects: The 2014 Revision*, it was reported that 54 per cent of the world's population resided in urban areas in 2014, and it was estimated that, by 2050, approximately 6.25 billion people, or 66 per cent of the world's population, would be living in urban areas,[1] of which 15 per cent were projected to be persons with disabilities.[2]

2. Available evidence reveals that in the current pattern of urbanization, persons with disabilities experience widespread lack of accessibility to the built environment, to basic urban services and to information and communications. In addition, extensive urbanization may create new barriers that prevent access for persons with disabilities, in particular to the built environment, transport and services, as well as to more sophisticated information and communication services in heavily populated areas.[3]

3. There are a number of factors that further impede the promotion of inclusive urban development for persons with disabilities. These include a lack of awareness, knowledge and good practices regarding inclusive urban development among policymakers, urban planners and developers and professionals; a dearth of specific legislation, government policies and technical standards on accessibility that regulate urban planning and construction; poor enforcement of existing laws and policies; insufficient resources; and the impact of armed conflicts.[4]

4. Accessibility is a precondition for persons with disabilities to live independently and achieve full and equal participation in society. Without access to the physical environment, transportation, information and communication, including information and communications technologies (ICTs) and related systems, and other facilities and services open or provided to the public, persons with disabilities do not have equal opportunities for participation in their respective societies.[5]

5. In line with the provisions of the Convention on the Rights of Persons with Disabilities,[6] persons with disabilities and their representative organizations must be closely consulted and actively involved in the development, planning, design, implementation, monitoring and evaluation of urban development policies so that such policies may benefit from their knowledge and expertise.

Convention on the Rights of Persons with Disabilities, Relevant Frameworks and Reports

6. The Convention on the Rights of Persons with Disabilities, which is a legally binding human rights treaty with an explicit social development dimension, recognizes the human rights and fundamental freedoms of all persons with disabilities. Under article 9 of the Convention, on accessibility, States parties are required to "take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to

[1] ST/ESA/SER.A/366.

[2] World Health Organization and World Bank, *World Report on Disability* (Geneva, 2011). Available from www.who.int/disabilities/world_report/2011/report.pdf.

[3] CRPD/C/GC/2, paras. 7 and 16.

[4] Economic and Social Commission for Western Asia, "Towards inclusive, safe, resilient and sustainable Arab cities" (forthcoming).

[5] CRPD/C/GC/2, para. 1.

[6] General Assembly resolution 61/106, annex I.

the public, both in urban and rural areas". In the measures taken by States parties, the identification and elimination of obstacles and barriers to accessibility must also be addressed.

7. Under the Convention, States parties recognize the importance of universal design, defined in article 2 as "the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design", not excluding "assistive devices for particular groups of persons with disabilities where this is needed." The Convention also establishes the obligation of States parties to undertake or promote research into and the development of universally designed goods, services, equipment and facilities, in line with the provisions of article, as well as to promote universal design in the development of standards and guidelines.

8. Under article 21 of the Convention, on freedom of expression and opinion, and access to information, States parties are obligated to take all appropriate measures to ensure that persons with disabilities can seek, receive and impart information and ideas on an equal basis with others, including by: (a) providing information intended for the general public in accessible formats and technologies; (b) accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication; and (c) urging private entities to provide information and services in accessible and usable formats for persons with disabilities.

9. Other articles of the Convention relevant to inclusive urban development include article 5 on equality and non-discrimination, article 19 on living independently and being included in the community, article 20 on personal mobility and article 28 on an adequate standard of living and social protection, as well as the articles on education, work and employment, participation in political and public life and participation in cultural life, recreation, leisure and sport.

10. Under article 4 (3) of the Convention, States parties undertake to closely consult with and actively involve persons with disabilities through their representative organizations, known as organizations of persons with disabilities. In this regard, the Committee on the Rights of Persons with Disabilities has underlined the importance of including persons with disabilities in the development and implementation of legislation and policies to implement the Convention and in other decision-making processes concerning issues relevant to persons with disabilities.

11. The commitment of the international community to advancing the human rights of persons with disabilities in sustainable development has been strengthened with the adoption of the 2030 Agenda for Sustainable Development.[7] Persons with disabilities are explicitly referenced in seven Goals and targets, in particular in Sustainable Development Goal 11 on sustainable cities and communities, which includes targets to provide accessible transport systems and public spaces.

12. Under the New Urban Agenda, adopted by the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) in 2016, States committed themselves to promoting equitable and affordable access to sustainable basic physical and social infrastructure for all, without discrimination. Such infrastructure includes affordable serviced land, housing, modern and renewable energy, safe drinking water and sanitation, safe, nutritious and adequate food, waste disposal, sustainable mobility, health care and family planning, education, culture

[7] General Assembly resolution 70/1.

and ICTs for persons with disabilities. The New Urban Agenda also encouraged the elimination of legal, institutional, socioeconomic and physical barriers for all.[8]

13. The Sendai Framework for Disaster Risk Reduction 2015-2030 commits Member States to the use of the principles of universal design, as well as to a "Build Back Better" approach to recovery, rehabilitation and reconstruction, and states that persons with disabilities must be empowered to publicly lead and promote gender equitable and universally accessible response, recovery, rehabilitation and reconstruction approaches.[9]

14. Other documents relevant to promoting inclusive urban development include general comment No. 2 (2014) of the Committee on the Rights of Persons with Disabilities, on accessibility,[10] and general comments Nos. 4 (1991) and 15 (2003) of the Committee on Economic, Social and Cultural Rights, on the right to adequate housing[11] and on the right to water.[12] The 2016 report of the Special Rapporteur on the Rights of Persons with Disabilities on disability-inclusive policies[13] also seeks to provide guidance to States and other actors on how to establish policies that are in conformity with the Convention and that can contribute to the achievement of the Sustainable Development Goals.

The Way Forward: implementing the New Urban Agenda and further promoting inclusion and accessibility for persons with disabilities

15. Many initiatives and good practices currently exist that can support States parties in the implementation of the Convention, using the Sustainable Development Goals, the New Urban Agenda and the Sendai Framework for Disaster Risk Reduction. The International Organization for Standardization (ISO) has published accessibility standards for built structures, transportation and ICTs and related systems.[14] The International Telecommunications Union has also developed guidelines and recommendations related to the accessibility of telecommunications and ICTs for persons with disabilities.[15] These standards, guidelines and recommendations can all be adapted to country-specific contexts. Accessibility audits are common in some countries and these can easily be adapted to be in line with ISO standards.

16. At the national level, progress is under way in translating the above-mentioned commitments into specific urban policies and actions to make cities and communities more accessible to and inclusive for persons with disabilities. For example, the action plan to make Kuala Lumpur an accessible city[16] is an example of good practice, in line with the Convention, throughout the three stages of design, construction and post-construction. Incorporating the participation and inclusion of persons with disabilities at every stage, the plan highlights the following three priority areas: legislation, enforcement and monitoring, and awareness-raising. The core concepts of the plan are the continuum of access, approachability, accessibility

[8] General Assembly resolution 71/256, annex, para. 34.
[9] General Assembly resolution 69/283, annex II, paras. 30 (c) and 32.
[10] CRPD/C/GC/2.
[11] E/1992/23-E/C.12/1991/4, annex III.
[12] E/C.12/2002/11.
[13] A/71/314.
[14] See www.iso.org.
[15] See www.itu.int.
[16] *Good Practices of Accessible Urban Development: Making urban environments inclusive and fully accessible to all* (ST/ESA/364), section III, case study 3.

and usability through the application of universal design.[17] In addition, accessible rapid transit systems have been constructed in Curitiba, Brazil; Bogota; Quito; Ahmedabad, India; and Dar es Salaam, United Republic of Tanzania.

17. Finally, the successful implementation of the New Urban Agenda will not be achieved without broad-based multi-stakeholder partnerships and the full and meaningful participation of persons with disabilities and their representative organizations, in line with article 4 (3) of the Convention.

Questions for consideration

18. The following questions are presented for consideration at the round-table discussion:

(a) What opportunities do the New Urban Agenda, the 2030 Agenda for Sustainable Development and the Sendai Framework for Disaster Risk Reduction present for States parties in furthering the implementation the Convention at the national and regional levels?

(b) What innovative solutions exist to address and promote inclusive urban development for persons with disabilities?

(c) What are the progressive roles of ICTs and related systems in promoting the effective implementation of the Convention and the guidance put forward by the New Urban Agenda?

(d) How can national and regional inclusive urban development strategies capitalize on the knowledge and expertise of persons with disabilities and their representative organizations?

[17] See *Accessibility for All: Good practices of accessibility in Asia and the Pacific to promote disability-inclusive development* (United Nations publication, Sales No. E.17.II.F.3).